

DATE: 4/28/2004

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

MINUTE ORDER AND COMMITMENT

COURT CLERK: B. Graves

JUDGE: R. L. PUTNAM

RPT/TAPE: D. PedmanCUST. STATUS: NO

PNP DEFT: MARCUS DELON WESSON

CASE NO. F04901785-8

PNP DEFENSE, P.D. P. Jones / R. Torres / G. Byers

D.A. NO.: 2004H8821

PNP D.A. K. Gansian

HRC/MIN: General Motion Hearing

INTERP:

PNP CAJ. Donaldson

BKJ/JID #: T00213778

CHARGE(S): ***PC187(a) PC187(a) PC187(a)

TC

TRIAL

RPO

995

MP

RP

CONT TO: 5/18/04 8:30 53 FOR: Mtn - unseal warr. DOB: 8/22/1946

5/14 4pm

Reply
5/17 4pm

ARRAIGNMENT-VOP

T/N

- ☐ (Re)appt. ☐ Conflict
☐ PD ☐ Barker ☐ ADO/ ☐ Ind.C./
☐ Sub in ☐ Relieved
☐ Def rec copy ☐ amended/Comp/Info. ☐ WR/WFA/CSR
☐ PLEA ☐ NGI ☐ DENIES ☐ PRIOR ☐ ENHANCEMENT
☐ T/D set w/in statutory time ☐ WTFT
☐ DA & Def counsel stip disc purs to PC 1054 ☐ Adv. PC 987.8
☐ Def ADMITS/DENIES VOP ☐ Crt finds VOP for
☐ Fail to OAL/PLEA in # ☐ Prob Revok
☐ Crt accepts admis; finds def KIV admit VOP for:
Refer PO: ☐ Supp/Oral Rept ☐ HRO ☐ 1203C Rept
MOTIONS: - unseal Search Warrants
☐ Granted ☐ Denied
☐ Court/Peo. Mtn; case dism
COP/TC/HTA ☐ DEJ ☐ NOCS ☐ PC17(b)
☐ Guilty ☐ No Contest ☐ Prelim waived ☐ HTA as to

- ☐ Admits ☐ Enh. In Ct. ☐ priors ☐ strikes ☐ Cert to Sup. Ct.
☐ COP form signed, filed in open Crt. CRT accept Plea, find KIV made & Supp'd by factual basis. ☐ Ref PO ☐ RPO ☐ DV/PC1000 Assess.
☐ Def adv ☐ Serious felony enh. PC667/PC969f.
☐ Mtn. Dismiss rem cts & alleg. Grtd. ☐ w/RTC&Rest. ☐ Ar buckle waiver
☐ Go ☐ No Go ☐ Time Est: ☐ Trial #

REJECTION PLEA-MTN WITHDRAW PLEA

- ☐ DA does not support plea agreement ☐ Crt rejects plea
☐ Def mtn w/draw plea. Cont. to ☐ Muni ☐ CVMC

RPO & JUDGMENT

- ☐ Orig. ☐ Supp Rept of PO read & considered ☐ Plea renegotiated
☐ Rept of Dr. ☐ read.
☐ Def WFA/NLC ☐ Def WTFS ☐ Waives RPO & Req immed sent.
Prob: ☐ granted ☐ denied ☐ reins same T&C ☐ Mod ☐ termin.
☐ additional term ☐ yrs. ☐ Misd. Sent

LOCAL COMMIT. Def waives ☐ days credit for local/all purposes.

- CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
☐ Concur ☐ Consec. ☐ Parole Viol. ☐ Any other sent.
☐ Exec of sent stay ☐ yrs;
☐ IMPOS of jdg/sent susp ☐ yrs ☐ Formal ☐ Cond. Prob.
☐ Commit ☐ days Co. jail ☐ all susp/stayed except ☐ days
☐ All susp/stayed on condition def comply with Probation.
☐ Exec of sent. stayed to ☐ am/pm at FCJ. ☐ Pending Rev. Hrg.
Ref: ☐ AOWP ☐ WFO ☐ Report to PO
☐ CFTS (Actual) /GTWT /Trtmt) TRD

FINE: \$

- FEES: PC1202.4 (rest.) ☐ Cite ☐ Drug/DV Diversion
PC290.3 ☐ H&S 11372.5 ☐ PO rept fee
PC1203.1b \$ ☐ TTP ☐ Pay by
or \$ ☐ per mo. begin ☐ thru Court/RRD/as directed by PO.
Atty fee ☐ thru RRD by
Bkg fee ☐ payable to arresting agency.
OTHER

PRISON COMMIT. ☐ Rule 412 ☐ Prob. Denied ☐ CDC ☐ Stay lifted

- ☐ CYA housing - WIC 1731.5(c) ☐ CYA purs to WIC 1731.5(a)
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
☐ PC667.5(b); 1 yr. ☐ HS 11370.2; 3 yrs. ☐ 667(a); 5 yrs.
☐ Tot Priors ☐ yrs ☐ Ct ☐ dbl/trpl purs to
☐ PC 654 stay: ☐ Sentence: ☐ Concur ☐ Consec.
Case # ☐ Parole Viol ☐ Any other sent.
PC 1202.4 ☐ HS 11372.5
PC290.3 fees ☐ Testing: ☐ PC1202.1 ☐ PC290.2
☐ REG PC 290.1 ☐ REG HS 11590 ☐ Recom Housing/PC2684
☐ No visitation between def and child victim purs to PC1202.05.
☐ Def advised ☐ Parole ☐ Appeal
☐ CFTS: ☐ Sent. Stayed to

TOTAL DETERMINATE YRS

MOS

TOTAL INDETERMINATE TERM

CRC COMMITMENT ☐ Sent susp purs WIC 3051

- ☐ Rept Dr. ☐ read. ☐ Rec'd into evidence.
☐ Purs to stip Counsel ☐ Crt finds def addicted or in imminent danger
☐ Per CRC parole status ☐ of addiction to narcotics
☐ Commit to CRC purs to WIC 3051 ☐ for prev imposed term

CRC

- ☐ Def waives CRC exclusion hrg. ☐ Crt vacates civil addict commit
☐ Crim proc reins ☐ def on Prob 1 day & terminate
☐ SERVE TERM PREV IMPOSED ☐ CREDIT
☐ Time credit exceed term imposed, commit purs PC 1170(a)(3)
☐ Report to Parole forthwith

DIAGNOSTIC EVALUATION

- ☐ Crim Proc susp purs ☐ PC 1203.03 ☐ WIC 707.2 commit
☐ PC 1170(d): ☐ 120-day eval. ☐ Crt maintains jurisdiction

APPOINTMENT OF DOCTOR ☐ Crim Proc Susp.

- Appt Dr. purs to ☐ WIC 3051 ☐ PC 288.1 ☐ PC 1368
☐ PC457 ☐ General sent Rept; ☐ Other
Dr. ☐ to exam def at: ☐ Main Jail Clinic, 2nd fl;
☐ Dr's office on ☐ at ☐ am/pm
☐ Def ordered to appear for Dr's appt. ☐ Report due:

COMPETENCY/SANITY FINDINGS

- ☐ Crt finds def is/is not ☐ Competent ☐ Sane
☐ Crim proc rem susp/reins ☐ Ref to Forensic M.H. for rept/recom:
☐ Def comm to state hosp purs to ☐ Transp upon receipt rept
TERMS OF PROBATION/RELEASE/SENTENCE/VOP FINDINGS-SEE BACK
☐ OAL ☐ T(ALC/NAR) ☐ SS ☐ Fin ☐ Decert FS/AFDC 6 mos/1 yr
☐ MR(PO/FSD/FCU) ☐ AD ☐ EN(MH/ALC/NAR) ☐ SW
☐ PRGM ☐ (In/Out) patient/Batterer's trtmt
☐ SM ☐ CMS HRS: ☐ PEEP ☐ REP. PO
☐ PDW ☐ CONS ALC ☐ USE NAR ☐ MIN ☐ V ☐ FV
☐ CHK ☐ PRE PROP ☐ CO-DEF ☐ DMV ☐ INS ☐ DMA
☐ REVOK/SUSP/RES
Reg: ☐ HS11590 ☐ PC 290 ☐ Protective Order ☐ PC1202.6 Testing
☐ Weapon (destroy/dispose/other:)

OUT OF CUSTODY DEFT STATUS: ☐ Remains ☐ OR ☐ FR ☐ Cite ☐ NS ☐ SB ☐ CB ☐ PB ☐ OP ☐ Released ORBWA: ☐ Appearing to be in VOP ☐ CB ☐ SB ☐ PB forfeited. ☐ OR ☐ FR ☐ Cite ☐ NS revoked.BW to issue, bail \$ ☐ B/W (recalled) (filed) (held until)BOND ORDERS: ☐ Fort vac purs to reassumption letter filed by ☐ SB ☐ CB ☐ PB reins. & exon.☐ Upon payment of Reins. Fee ☐ OTHER:

- IN CUSTODY DEFT STATUS:** ☒ Remains ☒ C ☐ Remanded ☐ No Bail ☐ Bail set/incr./red.
☐ Released ☐ OR ☐ Cruz Waiver on record ☐ W/CFTS ☐ All Cts ☐ On Prob ☐ St. Parole ☐ Purs. to PC 1170(a)(3)
☐ FSO ordered to transport Def to ☐ CDC ☐ CRC ☐ CYA upon acceptance
☐ State Hospital ☐ Upon available bed space, Def may be rel. to rep. of:
☐ Ref 4011.6 PC (72hr) ☐ Other ☐ Def to be trans. on Salvation Army bus for interview on

CRIMINAL MINUTE ORDER ATTACHMENT

DATE: 4/21/04

CASE NO. FO4901785-6

CASE TITLE: Marcus Delon Wesson

ADDITIONAL COUNTS:

Ct _____ L/M/U _____ YRS+ _____

Ct _____ L/M/U _____ YRS+ _____

Ct _____ L/M/U _____ YRS+ _____

Ct _____ L/M/U _____ YRS+ _____

Ct _____ L/M/U _____ YRS+ _____

ADDITIONAL FINDINGS/ORDERS:

Court orders Search Warrants to be unsealed for the limited purpose of making 2 copies - one for the People and one copy for defense. Warrants are to be resealed.

Court finds there is standing for the motion to unseal search warrants. As to the Fresno Bee

Media request is denied.